

House Bill 1428

By: Representatives Marin of the 96th and Drenner of the 86th

A BILL TO BE ENTITLED
AN ACT

To amend of Part 10 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to capital outlay funds under the "Quality Basic Education Act," so as to prohibit a school from being constructed within 500 feet of a freeway or other busy traffic corridor; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 10 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to capital outlay funds under the "Quality Basic Education Act," is amended by adding a new Code section to read as follows:

"20-2-263.

(a) A school shall not be constructed by a local board of education if the school site boundary is within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor, unless the local board of education determines, through an analysis based on appropriate air dispersion modeling, and after considering any potential mitigation measures, that the air quality at the proposed site is such that neither short-term nor long-term exposure poses significant health risks to students.

(b) As used in this Code section, the term:

(1) 'Freeway or other busy traffic corridor' means those roadways that, on an average day, have traffic in excess of 50,000 vehicles in a rural county and 100,000 vehicles in an urban county.

(2) 'Rural county' means a county having a population of less than 35,000 according to the most recent official United States census.

(3) 'Urban county' means a county having a population equal to or greater than 35,000 according to the most recent official United States census."

26

SECTION 2.

27

All laws and parts of laws in conflict with this Act are repealed.